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E-Filed 8/13/2010

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9 Attorneys for Defendants RESOURCE
DEVELOPMENT SERVICES, INC. and JAMES
10 LUCERO

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15 NATIONAL UNION FIRE INSURANCE
16 COMPANY OF PITTSBURGH,

17 Plaintiff,

18 v.

19 RESOURCE DEVELOPMENT SERVICES,
INC. et al.,

20 Defendants.
21

CASE NO. C-10-01324 JF

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME FOR
DEFENDANTS RESOURCE
DEVELOPMENT SERVICES, INC.
AND JAMES LUCERO TO ANSWER OR
OTHERWISE RESPOND TO FIRST
AMENDED COMPLAINT**

22
23 **STIPULATION**

24 WHEREAS plaintiff National Union Fire Insurance Company of Pittsburgh (“National
25 Union”) filed its original complaint in this action on March 29, 2010;

26 WHEREAS defendants Resources Development Services, Inc. (“RDS”) and James Lucero
27 were not served with a copy of the original complaint;
28

1 WHEREAS plaintiff National Union filed a First Amended Complaint on June 1, 2010;
2 WHEREAS defendants RDS and James Lucero were served with a copy of the First
3 Amended Complaint on or about July 22, 2010;

4 WHEREAS defendants RDS and James Lucero have 21 days to answer or otherwise
5 respond to the First Amended Complaint pursuant to Federal Rule of Civil Procedure 12(a)(1);

6 WHEREAS defendants RDS and James Lucero recently retained counsel to represent them
7 in this matter;

8 WHEREAS counsel for defendants RDS and James Lucero require additional time to
9 review the First Amendment Complaint and prepare an answer or other response thereto;

10 WHEREAS plaintiff's counsel does not object to extending the time in which defendants
11 RDS and James Lucero may answer or otherwise respond to the First Amended Complaint;

12 WHEREAS the next hearing in this matter is presently scheduled for September 24, 2010;

13 IT IS HEREBY AGREED AND STIPULATED that the deadline by which defendants
14 RDS and James Lucero must answer or otherwise respond to the First Amended Complaint should
15 be extended to September 3, 2010.

16 IT IS SO STIPULATED.

17
18 DATED: August 11, 2010

/s/ Josh Cohen

MARTIN A. SABELLI

JOSH A. COHEN

Attorneys for Defendants Resources Development
Services, Inc. and James Lucero

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23 DATED: August 11, 2010

ROPERS, MAJESKI, KOHN & BENTLEY

/s/ Eugene Suh

EUGENE SUH

Attorneys for Plaintiff

ORDER

By stipulation, and for good cause shown, it is hereby ordered that defendants Resources Development Services, Inc. and James Lucero shall have until September 3, 2010 to answer or otherwise respond to the First Amended Complaint.

IT IS SO ORDERED.

DATED: August 13, 2010



JEREMY FOGEL
UNITED STATES DISTRICT JUDGE